

## TOWNSHIP COMMITTEE MEETING – JUNE 11, 2012

Mayor Bishop called the meeting to order at 6:00 p.m. and requested the Clerk to call the roll. The following members were present: Dr. Michael Brantley, Eric J. Houghtaling, Kevin B. McMillan and Mayor J. Randy Bishop. (Mary Beth Jahn arrived during the open workshop session)

Also present at the dais were Richard J. Cuttrell, Municipal Clerk; Philip D. Huhn, Township Administrator; and Gene Anthony, Township Attorney.

Mayor Bishop announced that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in the Asbury Park Press and The Coaster on January 5, 2012, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk.

The following items were discussed in open session:

Jennifer Beahm, Township Planning Consultant, was present to discuss the Township's COAH Spending Plan. She stated that the Township has to prepare a spending plan otherwise funds that have been collected through the development trust fund have to be turned over to the state by July 17<sup>th</sup>. There is \$207,000 in the trust fund that has to be encumbered. The Spending Plan allocates funding to existing Township programs such as housing rehabilitation programs, the Paint Program, and Schoolhouse Square down payment assistance. The Plan also discusses funding for rental assistance to very low income individuals. The Plan anticipates another \$220,000 being collected and allocated through 2018 and the Plan provides for 20% in administrative costs.

Ms. Jahn arrived.

Leanne Hoffman, Township Engineer, discussed possible projects for the Monmouth County Open Space Grant Program. Funding is usually provided in an amount between \$230,000 and \$250,000. Ms. Hoffman reviewed three possibilities; completion of Jumping Brook ball fields, creation of a skate park and equipment for the Ocean Grove tot lot. She indicated that she is hesitant to recommend the Welsh Farms/Veterans Memorial Park property because of on-going soil remediation and funds will not be released by the County until remediation is complete. The Committee discussed the options and indicated that a skate park should be considered in the future but not at the proposed location adjacent to the Neptune First Aid building. The Committee indicated that the first priority is the completion of the Jumping Brook ball fields. Ms. Hoffman will prepare a cost estimate.

Mr. Cuttrell stated that a request has been received from Clancy's Tavern to amend the hours of operation for establishments with liquor licenses for on-premises consumption. Currently, these businesses can serve liquor beginning at 7:00 a.m. Monday through Saturday and 10:00 a.m. on Sunday. The request is to allow consumption beginning at 7:00 a.m. all seven days of the week. Dr. Brantley stated that the later Sunday start time does not deter individuals who want to drink at that time and may actually cause people to take their business elsewhere. Ms. Jahn stated that she supports the time change and believes it would be helpful for business. The appropriate ordinance amendment will be prepared for the next regular meeting.

Ms. Hoffman stated that she and Sgt. Gualario attended a meeting with the NJ Department of Transportation. The NJDOT is proposing the installation of a traffic signal at the intersection of Route 35 and Heck Avenue. There have been a significant number of crashes at this location and it is a busy intersection for children walking to school. The Committee indicated full support of this idea. Ms. Hoffman stated that the NJDOT is also seeking to eliminate all left turns and at the intersection of Route 35 and Monroe Avenue as well as prohibiting crossing Route 35 from Monroe Avenue. The Mayor indicated that he was hesitant to support this idea and suggested that the Committee take no position. Dr. Brantley stated that this would likely reduce the number of accidents but would not eliminate accidents. Ms. Hoffman indicated that she will check with NJDOT to find out if the idea will be pursued if the Committee takes no position on the matter.

The Committee reviewed a proposed written policy on Township Committee members attendance at seminars and other functions. Dr. Brantley stated that he has advocated for a written policy because it is more professional and open. Mr. Huhn stated that Department Heads decide on whether or not to send employees to seminars and employees with certifications must attend classes to maintain their certification. Ms. Jahn suggested that each Committee member also have a hard budget cap on costs associated with seminars, luncheons and dinners. Mr. Huhn suggested that the Committee proceed with the draft policy and tweak as needed.

The Committee reviewed the upcoming activities and events calendar and committed to

attend various homeowners meetings.

The Mayor stated that he is concerned that the Little League has chosen not to have an 11 year old all star team because last year many of the same players competed as 10 year old all stars and lost all of their games. Mr. Anthony stated that the new youth sports organization contracts allow the Township to clearly state that the Township owns the fields and does the scheduling. The Township also has a right to review their fee schedules, but we cannot address day to day operations and decisions such as this.

#### AUTHORIZE AN EXECUTIVE SESSION AS AUTHORIZED BY THE OPEN PUBLIC MEETINGS ACT

Mr. McMillan offered the following resolution, moved and seconded by Ms. Jahn, that it be adopted:

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and,

WHEREAS, this public body is of the opinion that such circumstances presently exist,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, as follows:

1. The Public shall be excluded from discussion of and action upon the hereinafter specified subject matters.

2. The general nature of the subject matter to be discussed is as follows:

Contract negotiations – Lease of land on adjacent to West Bangs Avenue by the County  
Potential Litigation – Fairway at Heritage Estates performance bond

3. It is anticipated at this time that the above stated subject matters will be made public when matters are resolved.

4. This Resolution shall take effect immediately.

The resolution was adopted on the following vote: Brantley, aye; Houghtaling, aye; Jahn, aye; McMillan, aye; and Bishop, aye.

Mayor Bishop called the regular business portion of the meeting to order and requested the Clerk to call the roll. The following members were present: Dr. Michael Brantley, Eric J. Houghtaling, Mary Beth Jahn, Kevin B. McMillan, and Mayor J. Randy Bishop,

Also present at the dais were Richard J. Cuttrell, Municipal Clerk; Philip D. Huhn, Township Administrator; Michael J. Bascom, Chief Financial Officer; and Gene Anthony, Township Attorney.

After a moment of Silent Prayer and the Flag Salute, the Mayor asked the Clerk to indicate the fire exits.

The Clerk stated, "Fire exits are located in the direction I am indicating, in case of fire you will be notified by bell and or public address system. If you are alerted of fire, please move in a calm, orderly manner to the nearest smoke-free exit or the next nearest exit as directed over the public address system.

Mayor Bishop announced that the notice requirements of R.S. 10:4-18 for an "Annual Notice" have been satisfied by the publication of the required advertisement in the Asbury Park Press and The Coaster on January 5, 2012, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda, resolutions and ordinances are available online at [www.neptunetownship.org](http://www.neptunetownship.org) for public viewing before each Township Committee meeting.

#### PROCLAMATION

The Mayor proclaimed the month of July as Recreation and Parks Month in the Township of Neptune.

#### REPORT OF THE CLERK

The Clerk stated that the following reports and communications are on file in his office:

Senior Beacon for June.

A letter from Roger Wenzek thanking the Public Works Department for recent work on South Riverside Drive.

A letter from Rosemary Gray thanking Joe Shafto for volunteering his services to move a shed to the new Senior Center location.

#### COMMENTS FROM THE DAIS

The Mayor requested comments from the dais and they were as follows:

Dr. Brantley stated he participated in the Memorial Day Parade and apologized that he could not make the Shark River Hill's Parade. He stated this day made him proud that he was a veteran and that he once wore a military uniform. He stated this year they would have to prepare for a high mosquito population due to a mild winter. He went on to state that the Fish and Game Commission sent out a memo recommending a certain type of mosquito drop be used in places that they breed. He requested that either Mr. Huhn or Mr. Cuttrell contact the County to see what they would be using. He went on to state that several weeks ago he made comments regarding the need for diversity in Neptune especially in the police department. He stated he's spoken to his neighbors who were of different races and nationalities, age groups and marital status and they've expressed their concerns. He stated last year after the big snow storm his neighbors got together and held a prayer vigil and afterwards they discussed various other concerns through out the town such as potholes, poor maintained homes but the topic that had the most concern was diversity. He reiterated his concerns and theirs and how he planned on addressing them.

Mary Beth Jahn stated she road in the Memorial Day Parade, she won the primary election and her father was still very sick with renal cancer and she's been traveling back and forth to Philadelphia.

Kevin McMillan congratulated both Dr. Michael Brantley and Mary Beth Jahn for winning the primary election. He also stated he attended the Cops vs Kids softball game, participated in the Memorial Day Parade, attended the open mic at Nagles and had a great time. He stated that the township police apprehended the suspect responsible for a shooting in Shark River Hills and they brought him back from Puerto Rico and they also brought back the suspect that was involved in the Fordham Road shooting. He went on to state that this was a testament to the fine police department Neptune has. He also informed Dr. Brantley that the residents that spoke to him apparently have not spoken to him because a third of their command was represented by minority groups. There were women and there were diverse backgrounds and they have one of the finest police departments in the county. He also stated that he attended a sustainability class last week and some of the key learning that he did get was from Montgomery Township and what they would do ten days before a projected snow storm they would brine the roads with calcium chloride and beeted juice and they stated this process prevents the compaction of snow which reduces the time it takes to plow. He discussed other management systems they had. He went on to state that for those towns that have ranges for their police department they were recycling the lead found in the bullets.

Eric Houghtaling stated he attended the Ocean Grove Homeowner's Meeting and they had a very informative speaker Mr. Woodson who was a home appraiser and very skilled in maintaining older homes. He stated he attended the Memorial Day Parade in Shark Rivers and the Township Memorial Day Parade and it was a very hot day and a long walk but it was a great day over all and Sgt. York was present. He attended the Senior Prom at Neptune High School which was sponsored by the Mayor's Youth Advisory. He stated the senior students really took care of the senior citizens and he commended Mayor Bishop for being involved with it. He went on to state that Liberty Park Community Garden was underway. He thanked both Cleatus Ford and Sylvester Griffith from Public Works who volunteered their time and Pastor Brown and his church members for all that they do in that area. He attended Neptune City's Mayor's Ball and on Saturday he went to the antique car show that was held in Ocean Grove. He attended the Cops vs Kids baseball game and MURC had its first annual bus trip to Atlantic City and he heard that it went very well.

Mayor Bishop stated he attended the Cops vs Kids game, the Shark River Hills parade, the Township parade, the presentation by Cityworks at Midtown Commons, the Neptune Senior High Awards Ceremony and he was honored to be their keynote speaker since Mayor Booker of Newark was not able to attend at the last minute. He attended the commissioning of the Shark River Hills Yacht Club fleet. He attended the Ocean Grove car show and it was great to see old friends. He

arrived at the Asbury Park Technical Dance Academy's recital but was unable to stay because he received a phone call informing him that the burglar alarm had gone off at his hotel. He left and was unable to return. He congratulated Harry and MaryAnne Smith for renewing their wedding vows after thirty years of marriage and it was a surprise for MaryAnne. He was not able to make the bus trip that was held by MURC but both he and Mr. Houghtaling donated their bus tickets so that two people could go. He stated the Senior Spring Fling that was sponsored by the Mayor's Youth Cabinet was really fulfilling and this group of young people really did a lot to make this event a success. He informed everyone that the senior graduation would take place this Thursday at 6pm at the Ocean Grove Auditorium.

## PUBLIC COMMENTS ON RESOLUTIONS

The Mayor requested public comments regarding resolutions presented on this agenda.

Dorothy Argyros, 2100 Rutherford Ave. commended the Committee for Resolution #12-224 which placed a lien on various properties where a violation or condition exist that constitutes a threat to the well being of residents. She questioned the condition of the properties and what constituted a threat to the well being of the residents.

Mr. Cuttrell stated that both properties basically consisted of tall grass and a lot of brush.

Mayor Bishop stated they calculate the amount of men, equipment and man hour time that is used to clear up a piece of property and that's how they come up with the amount for the lien.

Michael Golub, 305 Cliffwood Drive, congratulated Dr. Brantley and Ms. Jahn on their win in the primary election. He commented on Resolution #12-225 and went on to ask for more details on the lease agreements with the youth sports organizations regulating the use of municipal ball fields. He stated he's heard a lot of comments about this on the streets and he's had the opportunity to speak with people involved with little league and soccer and they have a lot of intense concerns. They feel as though as they are being marginalized as volunteers.

Mr. Anthony stated the Township received a letter from Green Acres and they found that our prior ordinances were illegal and in violation of Green Acres. So the Township had to regain control of the schedule and the use and maintenance of public property and those were the things addressed by the agreement. When he met with the board members of these organizations they went over what the Township was trying to do and there really was no opposition to it and they signed their agreements. In his mind they established a closer working relationship.

Gail Oliver thanked the Mayor and Deputy Mayor for donating their tickets for the fundraiser given by MURC. She congratulated Dr. Brantley and Ms. Jahn on their win in the primary election. She commented on Resolution # 12-236 and questioned whether the Township was renewing the liquor license for Alpha's Liquor store.

Mr. Cuttrell stated they were not renewing the liquor license for them as of yet because they have not received tax clearance from the State..

Ms. Oliver questioned what brought about Resolution #12-239 which supports the NJDOT's effort to install a traffic signal at Heck Avenue and Route 35.

Mayor Bishop stated the State looked at this because of the number of accidents that have taken place in that area and they came to the Township with their recommendation and the Committee is very happy to support it.

Ms. Oliver questioned when would this take place.

Mayor Bishop stated he did not know but he most certainly would let her know when he did.

Hank Coakley, Valley Road, asked the committee to elaborate on Resolution #12-240 which request the Township to review and approve of a Municipal Affordable Housing Trust Fund Spending Plan from the Department of Community Affairs Local Planning Services.

Jennifer Beahm, Township Planner, stated the resolution he was referring to was a spending plan that identifies the sources of revenue that come in to the trust fund and how those funds will be spent.

Denis McCarthy Resolution #12-225 questioned who was now responsible for the maintenance of the fields.

Mr. Anthony stated the Township was now responsible.

ORDINANCE NO. 12-12 - ADOPTED

Mr. McMillan offered the following ordinance, moved and seconded by Ms. Jahn, that it be adopted:

ORDINANCE NO. 12-12

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING HANDICAPPED PARKING ZONES ON MT. CARMEL WAY AND NEW YORK AVENUE AND REMOVING A HANDICAPPED PARKING ZONE ON ABBOTT AVENUE

The Mayor requested public comments on this ordinance. There being no comments, he closed the public hearing.

The ordinance was adopted on the following vote: Brantley, aye; Houghtaling, aye; Jahn, aye; McMillan, aye; and Bishop, aye.

ORDINANCE NO. 12-13 - ADOPTED

Mr. Houghtaling offered the following ordinance, moved and seconded by Dr. Brantley, that it be adopted:

ORDINANCE NO. 12-13

AN ORDINANCE TO AMEND SECTION 1001 OF THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF NEPTUNE BY AMENDING THE AFFORDABLE HOUSING CONTRIBUTION REQUIREMENTS AND PROCEDURES IN ACCORDANCE WITH COUNCIL ON AFFORDABLE HOUSING REGULATIONS

The Mayor requested public comments on this ordinance. There being no comments, he closed the public hearing.

The ordinance was adopted on the following vote: Brantley, aye; Houghtaling, aye; Jahn, aye; McMillan, aye; and Bishop, aye.

ORDINANCE NO. 12-14 - ADOPTED

Dr. Brantley offered the following ordinance, moved and seconded by Ms. Jahn, that it be adopted:

ORDINANCE NO. 12-14

BOND ORDINANCE PROVIDING FOR VARIOUS SEWER UTILITY IMPROVEMENTS, BY THE SEWER UTILITY OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$700,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$665,000 BONDS OR NOTES OF THE SEWER UTILITY OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

The Mayor requested public comments on this ordinance and they were as follows:

Hank Coakley questioned how close was the Township to its limit on bonding.

Mr. Cuttrell stated it was actually based on your assessed value and not your budget and we were at .7% we are less than 1% percent of our equalized assessed evaluation.

There being no further comments, he closed the public hearing.

The ordinance was adopted on the following vote: Brantley, aye; Houghtaling, aye; Jahn, aye; McMillan, aye; and Bishop, aye.

ORDINANCE NO. 12-15 - ADOPTED

Mr. McMillan offered the following ordinance, moved and seconded by Dr. Brantley, that it be adopted:

ORDINANCE NO. 12-15

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VARIOUS EQUIPMENT, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$95,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

The Mayor requested public comments on this ordinance. There being no comments, he closed the public hearing.

The ordinance was adopted on the following vote: Brantley, aye; Houghtaling, aye; Jahn, aye; McMillan, aye; and Bishop, aye.

ORDINANCE NO. 12-16 - ADOPTED

Mr. Houghtaling offered the following ordinance, moved and seconded by Dr. Brantley, that it be adopted:

ORDINANCE NO. 12-16

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VARIOUS EQUIPMENT AND VEHICLES, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$285,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

The Mayor requested public comments on this ordinance. There being no comments, he closed the public hearing.

The ordinance was adopted on the following vote: Brantley, aye; Houghtaling, aye; Jahn, aye; McMillan, aye; and Bishop, aye.

ORDINANCE NO. 12-17 - ADOPTED

Mr. Houghtaling offered the following ordinance, moved and seconded by Mr. McMillan, that it be adopted:

ORDINANCE NO. 12-17

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO VARIOUS PARKS AND OTHER TOWNSHIP FACILITIES, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$250,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$237,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

The Mayor requested public comments on this ordinance. There being no comments, he closed the public hearing.

The ordinance was adopted on the following vote: Brantley, aye; Houghtaling, aye; Jahn, aye; McMillan, aye; and Bishop, aye.

ORDINANCE NO. 12-18 - ADOPTED

Mr. Houghtaling offered the following ordinance, moved and seconded by Mr. McMillan, that it be adopted:

ORDINANCE NO. 12-18

BOND ORDINANCE PROVIDING FOR VARIOUS MARINA UTILITY IMPROVEMENTS, BY THE MARINA UTILITY OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$90,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$85,500 BONDS OR NOTES OF THE MARINA UTILITY OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

The Mayor requested public comments on this ordinance and they were as follows:

Dorothy Argyros stated it seemed as if on every agenda there was money being poured into that marine utility. She stated she knew that it needed dredging and there was a lawsuit based on that. She also stated that she believed that it was contaminated because that's what she's heard. She asked the Committee to tell her if she was correct.

Mayor Bishop responded that it was not contaminated.

Mrs. Argyros questioned what would he buy her if she found out that it was contaminated. She went on to question whether the Township was making any money out of the marina or were they still pouring money into it.

Mayor Bishop stated it was a self liquidating utility and it has to pay back its debt. It is making the money to cover it.

Mrs. Argyros stated she wanted to know how much the Township put into this and how much were they getting out of it.

Mayor Bishop stated that it was a matter of public information and she could obtain that information if she put in an OPRA request to Mr. Cuttrel.

Mrs. Argyros stated she wanted everything public and wanted the information given to her at a meeting.

Mayor Bishop stated he would ask Mr. Bascom to prepare a printout and they would discuss it at the next Workshop Meeting.

There being no further comments, he closed the public hearing.

The ordinance was adopted on the following vote: Brantley, aye; Houghtaling, aye; Jahn, aye; McMillan, aye; and Bishop, aye.

ORDINANCE NO. 12-19 - ADOPTED

Mr. McMillan offered the following ordinance, moved and seconded by Dr. Brantley, that it be adopted:

ORDINANCE NO. 12-19

AN ORDINANCE TO AMEND VOLUME I, CHAPTER III, SECTION 3-8 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY PROHIBITING SKATEBOARDING AND ROLLERBLADING ON CERTAIN PUBLIC PROPERTY

The Mayor requested public comments on this ordinance and they were as follows:

Michael Golub stated he felt that this ordinance was a good idea because more times than not it was more than just a nuisance but it was a danger to the people on the road and the people on the road have the right to be there become a danger to the young people who use these things. He stated they were legal and they could buy them. He asked whether the Township was providing them leadership where they can use these particular pieces of sports equipment.

Mayor Bishop stated at the work session that was one of the projects discussed and it was determined that it should be a project that we should be looking at and we were actually applying

for funding.

Mr. Golub suggested using they taxpayer money that the Township already spent. He suggested that the rink behind the Shark River Hills School be utilized.

Mayor Bishop suggested he discuss it with Mr. Mooij and he would intern follow up with it.

Dorothy Argyros stated she was hear earlier and she heard that they were going to give them a place to skate and she was very happy to hear that.

There being no further comments, he closed the public hearing.

The ordinance was adopted on the following vote: Brantley, aye; Houghtaling, aye; Jahn, aye; McMillan, aye; and Bishop, aye.

ORDINANCE NO. 12-20 - APPROVED

Dr. Brantley offered the following ordinance, moved and seconded by Mr. Houghtaling, that it be approved:

ORDINANCE NO. 12-20

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A HANDICAPPED PARKING ZONE ON OLIN STREET AND DELETING A HANDICAPPED PARKING ZONE ON FISHER AVENUE

The ordinance was approved on the following vote: Brantley, aye; Houghtaling, aye; Jahn, aye; McMillan, aye; and Bishop, aye.

ORDINANCE NO. 12-21 - APPROVED

Mr. Houghtaling offered the following ordinance, moved and seconded by Ms. Jahn, that it be approved:

ORDINANCE NO. 12-21

AN ORDINANCE TO FURTHER AMEND ORDINANCE #00-56 TO REMOVE THE EXEMPTION FROM DISTURBANCE OF STEEP SLOPE AREAS FOR MARKET HOUSING DEVELOPED IN CONFORMANCE WITH THE REQUIREMENTS OF THE R-5 MULTI-FAMILY RESIDENTIAL ZONE IN THE HIGH POINTE – ROUTE 18 REDEVELOPMENT PLAN

The ordinance was approved on the following vote: Brantley, aye; Houghtaling, aye; Jahn, aye; McMillan, aye; and Bishop, aye.

Mr. Cuttrel stated that the Public Hearing on Ordinance 12-20 will be held on Monday, June 25, 2012 and the Public Hearing on Ordinance 12-21 will be held on Monday, July 9, 2012.

CONSENT AGENDA

Mr. Houghtaling offered the following resolutions of the Consent Agenda, moved and seconded by Ms. Jahn, that they be adopted:

PLACE LIEN ON VARIOUS PROPERTIES

WHEREAS, Ordinance #843 of the Township of Neptune states that where a violation or condition exists on any property in the Township of Neptune that is of such a nature as to constitute an immediate threat to life, health, safety and the well being of residents in this township unless abated without delay, the Code Enforcement Supervisor may abate the violation or condition immediately or order the owner, operator or occupant to correct the violation or condition within a three-day period; and

WHEREAS, the Code Enforcement Supervisor determined that the condition of the properties listed below constituted such a threat; and,

WHEREAS, the Code Enforcement Supervisor has notified the Township Committee of the Township of Neptune that the owners of said property have failed to correct the condition/violation as ordered; and

WHEREAS, the Code Enforcement Supervisor has had the condition corrected in accordance with Article IV, Section 6.2 (a) of Ordinance #843 at a total cost as indicated below,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Tax Collector be and is hereby authorized to place the following costs as a lien against the following properties; and,

| <u>BLOCK/LOT</u> | <u>ADDRESS</u>    | <u>AMOUNT</u> |
|------------------|-------------------|---------------|
| 9005/4           | 734 Gail Drive    | \$1,595.00    |
| 215/107          | 155 Fisher Avenue | 980.00        |

BE IT FURTHER RESOLVED, that a copy of this resolution along with the Code Enforcement Supervisor's report be forwarded to the Tax Collector.

AUTHORIZE EXECUTION OF LEASE/USE AGREEMENTS WITH YOUTH SPORTS ORGANIZATIONS REGULATING USE OF MUNICIPAL BALL FIELDS

WHEREAS, the Neptune Soccer Association, Neptune Little League and AYF-Neptune Fliers Youth Football and Cheer, Inc. conduct organized youth sports leagues and activities on Green Acres designated fields owned by the Township of Neptune; and,

WHEREAS, the Township and Youth Sports Organizations desire to enter into Lease/Use Agreement for the use of each respective Township owned field; and,

WHEREAS, the term of each Agreement is five years; each Agreement will go into effect upon execution by the Township and the respective Youth Sports Organization; however, each Agreement will be submitted to the State of New Jersey Green Acres Program for approval,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of Lease/Use Agreements, dated May 30, 2012, with the Neptune Soccer Association, Neptune Little League and AYF-Neptune Fliers Youth Football and Cheer, Inc. to establish regulations for conducting organized youth sports leagues and activities on Sunshine Village Fields, Jumping Brook Ballfields and Loffredo Fields, respectively; and,

BE IT FURTHER RESOLVED, that each Agreement shall be for a term of five years from January 1, 2012 to December 31, 2016 and shall be in effect upon the execution of the Agreement by the Township and respective Youth Sports Organization but will be subject to approval by the State of New Jersey Green Acres Program; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Township Attorney, Business Administrator and Recreation Director.

AUTHORIZE A PLACE-TO-PLACE TRANSFER (EXPANSION OF PREMISES) OF THE LIQUOR LICENSE ISSUED TO SAKER SHOP RITES, INC. T/A SHOP RITE

WHEREAS, an application has been filed for a place-to-place transfer (Expansion of Premises) of Plenary Retail Consumption License 1334-32-014-010, for purposes of expanding the premises under license wherein the sale, service, and storage of alcoholic beverages are authorized;

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby approves, effective June 12, 2012, the expansion of the aforesaid Plenary Retail Consumption licensed premises located at 2200 Highway 66, Neptune, New Jersey, to place under license the area delineated in the application form and the sketch of the licensed premises attached thereto; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Applicant the Division of A.B.C.

AUTHORIZE A PERSON TO PERSON TRANSFER OF THE PLENARY RETAIL CONSUMPTION LICENSE PRESENTLY ISSUED TO MEZZNOTTI RIVERFRONT, LLC T/A SUNSETS

WHEREAS, Chen's Group, Inc. has applied for a person-to-person transfer of Plenary Retail Consumption License # 1334-32-020-006 which is presently issued to Mezznotti Riverfront, LLC for premises at 302 South Concourse Avenue, Neptune, NJ; and,

WHEREAS, the application is complete in all respects; and,

WHEREAS, the required Affidavit of the source of funds of said liquor license has been filed by the applicant for the transfer and examined by the members of the Township Committee; and,

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey statutes, the regulations promulgated thereunder as well as the pertinent local ordinances and conditions imposed consistent with Title 33; and,

WHEREAS, all transfer procedures as outlined by state statute and local ordinances have been completed satisfactorily,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the person-to-person transfer of Plenary Retail Consumption License (w/ Broad Package Privilege #1334-32-020-006 as stated herein to Chen's Group, Inc. t/a Sunsets effective June 12, 2012; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the New Jersey Division of ABC, Chief of Police, Municipal Clerk and the Applicant.

AUTHORIZE THE EXECUTION OF A RELEASE OF PART OF MORTGAGED PROPERTY WITH TRF DP RIDGE AVENUE, LLC IN CONNECTION WITH THE SCHOOLHOUSE SQUARE PROJECT

WHEREAS, the Township of Neptune holds a mortgage dated April 8, 2009 in the amount of \$400,000 with TRF DP Ridge Avenue, LLC in connection with the Schoolhouse Square project; and,

WHEREAS, Block 197.05, Lot 10, with an address of 148 Myrtle Avenue is included in the properties bound by said mortgage; and,

WHEREAS, said property is being sold as a housing unit and TRF DP Ridge Avenue, LLC is requesting that this property be released from the mortgage,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute a Release of Part of Mortgaged Property to release Block 197.05, Lot 10, with an address of 148 Myrtle Avenue, from the properties bound by the existing mortgage dated April 8, 2009 in the amount of \$400,000.00; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief Financial Officer, Administrative Assistant to the C.F.O. and Business Administrator.

ACCEPT DONATION OF A 2004 FORD EXPLORER FROM NEPTUNE TOWNSHIP FIRE DISTRICT #1

WHEREAS, Neptune Township Fire District #1 has declared that a 2004 Ford Explorer owned by the District is no longer needed by the District and is therefore surplus equipment; and,

WHEREAS, the Township of Neptune Code and Construction Department is in need of a four wheel drive vehicle; and,

WHEREAS, the Township's Fleet Maintenance provider has inspected said vehicle and found that the cost of any needed repair work is less than the value of the vehicle; and,

WHEREAS, the Fire District has offered the vehicle to the Township of Neptune at no cost,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby accepts a donation of a 2004 Ford Explorer bearing vehicle identification number 1FMZU72K24UA88451 from Neptune Township Fire District #1 at no cost to the Township; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Business Administrator, Director of Public Works, Construction Official and Neptune Township Fire District #1.

AUTHORIZE AN AMENDMENT TO THE 2012 MUNICIPAL BUDGET TO REALIZE MONIES FROM A 2012 COPS IN SHOPS GRANT

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and,

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2012 in the sum of \$2,400.00 which is now available from a NJDL&PS Division of Highway Traffic Safety Cops in Shops – Summer Shore Initiative 2012 Grant in the amount of \$2,400.00; and,

BE IT FURTHER RESOLVED that the like sum of \$2,400.00 is hereby appropriated under the caption of Cops in Shops - Summer Shore Initiative 2012; and,

BE IF FURTHER RESOLVED, that the above is the result of funds from a NJDL&PS Division of Alcoholic Beverage Control Cops in Shops 2012 Summer Shore Initiative Grant in the amount of \$2,400.00; and,

BE IT FURTHER RESOLVED, that the Clerk forward three certified copies of this resolution to Chief Financial Officer and one copy to the Assistant C.F.O., and Auditor.

REJECT ALL BIDS FOR MULTIPURPOSE WHEEL LOADERS

WHEREAS, on March 15, 2012, the Purchasing Agent received bids for the award of a contract to supply multipurpose wheel loaders; and,

WHEREAS, said bids were reviewed by the Purchasing Agent who has recommended that all bids be rejected because they exceed the Township's budget estimate for this equipment in accordance with N.J.S.A. 40A:11-13.2(b),

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby rejects all bids received for multipurpose wheel loaders because all bids exceed the Township's budget estimate for this equipment in accordance with N.J.S.A. 40A:11-13.2(b); and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded the Chief Financial Officer, Assistant C.F.O., Public Works Director and Business Administrator.

DESIGNATE DEBORAH HERCHE AS A MATRON IN THE POLICE DEPARTMENT

WHEREAS, the Chief of Police has requested that Deborah Herche, Clerk/Typist in the Records Bureau, be designated as a Matron in the Police Department; and,

WHEREAS, in accordance with the current AFSCME Local #1844 contract, employees designated by the Chief of Police to perform Matron duties receive an \$800.00 annual stipend,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Deborah Herche be and is hereby designated as a Police Department Matron effective June 12, 2012 at an annual stipend of \$800.00 in accordance with the AFSCME Local #1844 contract; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded the Chief Financial Officer, Assistant C.F.O., Chief of Police and Business Administrator.

EMPLOY TEMPORARY SEASONAL PERSONNEL FOR THE NEPTUNE SUMMER RECREATION PROGRAM



Substitute Bus Drivers            \$14.00/hour            59 hours

Janiesue Masco            Betty Andrews

Role Models                        \$14.00/hour            59 hours

Taylor Dow                    Christa Pearsall            Rodney Taylor  
Lauren LaFrance            Barbara Carter            Reid Cashour

Substitute Role Models            \$14.00/hour            2.5 hours/day

Woodly Deroses            Michael Oglesby            Katie D'Ambrosia  
Takia Clayton            Cathy Long                Dyese Davis  
Teesha Robinson            Andrew Wildeman

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Alliance Coordinator, Chief Financial Officer, Assistant C.F.O. and Business Administrator.

**RENEW LIQUOR LICENSE HELD BY KRENKEL-LIQUORS, INC. T/A KRENKEL LIQUORS**

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Plenary Distribution Consumption License known as 1334-44-009-005 be renewed to Krenkel-Liquors, Inc. t/a Krenkel Liquors, located at 700 Highway 35 for the 2012-2013 licensing year under the following conditions (continued from the prior licensing period):

1) There will be no ingress and egress for customers of the liquor store and the main food store within the building. The only ingress and egress of the liquor store will be from the outside of the building. Employees of Krenkel's may utilize a door, or common counter area only to be utilized by employees of Krenkel's, within the subject building for ingress and egress between the two businesses.

2) A surveillance camera will be installed on the outside of the building to monitor the package goods store. Alternatively, a camera installed on the inside of the store will suffice so long as it monitors the outside of the store.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Division of Alcoholic Beverage Control, Municipal Clerk and the License Holder.

**AUTHORIZE THE RENEWAL OF LIQUOR LICENSES FOR THE 2012-2013 LICENSING YEAR**

WHEREAS, the following liquor licensees have completed the renewal application and a New Jersey State Sales Tax Clearance Certificate has been received by the Clerk's Office,

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following Plenary Retail Consumption Licenses, Plenary Retail Distribution Licenses, and Club Licenses in the Township of Neptune be and are hereby renewed for the period July 1, 2012 to June 30, 2013:

**PLENARY RETAIL CONSUMPTION LICENSES**

| <u>STATE NUMBER</u> | <u>NAME</u>  | <u>ADDRESS</u>   |
|---------------------|--|------------------|
| 1334-33-004-005     | Ruby Tuesday, Inc. t/a Ruby Tuesday                              | 3595 Highway #66 |
| 1334-33-007-004     | Garden Bar Liquors t/a Sprengel's Sports Bar                     | 2447 Highway #33 |
| 1334-33-010-007     | Jumping Brook Spirits, Inc. t/a Jumping Brook Spirits            | 3701 Highway #33 |
| 1334-33-011-003     | 35 Brew Inc., t/a Headliner                                      | 1401 Highway #35 |
| 1334-33-012-015     | East Coast Eatery, LLC   | 3548 Route 66    |
| 1334-32-014-010     | Saker Shop-Rites, Inc, t/a ShopRite Liquors and Wines of Neptune | 2200 Highway #66 |

|                 |  |                             |
|-----------------|--|-----------------------------|
| 1334-33-018-013 | Clones, LLC t/a "Clancy's"   | 25 South Main St.           |
| 1334-33-021-005 | Ayles Corp., t/a "Shore Lanes"                                     | 701 Highway 35              |
| 1334-33-023-008 | Neptune Ale House, LLC t/a MJ's                                    | 3295 Highway 66             |
| 1334-32-024-003 | Sudsy Enterprises, Inc. t/a<br>Sudsy Mug Saloon                    | 1105 6 <sup>th</sup> Avenue |
| 1334-32-025-009 | Atlantic Coast Food Systems, LLC                                   | Inactive                    |
| 1334-33-026-007 | Matrix/Jumping Brook, LLC t/a<br>Jumping Brook Golf & Country Club | 210 Jumping Brook Rd        |
| 1334-36-037-001 | Residence Inn  | 230 Jumping Brook Rd        |

PLENARY RETAIL DISTRIBUTION LICENSES

|                 |  |                     |
|-----------------|--|---------------------|
| 1334-44-001-004 | Karan NJ Inc. t/a<br>"Rick's Wines & Liquors Store"  | 2832 West Bangs Ave |
| 1334-44-006-005 | Jai Durga Ma, Inc. t/a<br>Guy's Package Store        | 1417 Corlies Ave.   |
| 1334-44-015-003 | Prit & Prisha, Inc. t/a<br>Discount Liquor Warehouse | 1611 Asbury Ave.    |

CLUB LICENSES

|                 |   |                      |
|-----------------|---|----------------------|
| 1334-31-027-001 | Frederick Dempsey Post No. 266<br>American Legion | 240 Drummond Ave.    |
| 1334-31-029-002 | SRBYC, Inc. t/a Shark River<br>Beach & Yacht Club | South Riverside Dr.  |
| 1334-31-031-001 | O'Brien Major VFW Post 2639                       | 1515 Corlies Ave.    |
| 1334-31-035-001 | Lodge 128 BPOE of the USA, Inc.                   | 3409 West Bangs Ave. |
| 1334-31-036-001 | Shark River Hills Fire Company #4, Inc.           | 200 Brighton Ave.    |

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Division of Alcoholic Beverage Control, and Municipal Clerk.

ACCEPT A MAINTENANCE GUARANTEE AND RELEASE A PERFORMANCE BOND FILED BY WAWA, INC. FOR SITE IMPROVEMENTS AT 3520 ROUTE 66

WHEREAS, on July 28, 2008, Wawa, Inc., filed a performance bond written by Travelers Casualty and Surety Company of America in the amount of \$625,320.00 guaranteeing site improvements for the Wawa location at 3520 Route 66 (Block 10000, Lots 27 & 28); and,

WHEREAS, the Township Engineer has certified that all site improvements have been completed in a satisfactory manner as of April 26, 2012 and said performance bond can be released; and,

WHEREAS, Wawa, Inc. has filed Maintenance Bond #105753805 written by Travelers Casualty and Surety Company of America guaranteeing said site improvements for a period of two years; and,

WHEREAS, the Township Attorney has reviewed and approved said maintenance bond,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Maintenance Guarantee as stated above be and is hereby accepted and the performance bond is authorized to be released; and,

BE IT FURTHER RESOLVED, that the cash portion of the performance guarantee on escrow with the Township be and is hereby authorized to be refunded; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Developer and Township Engineer.

ACCEPT THE RESIGNATION OF CODY SMITH AS A SPECIAL LAW ENFORCEMENT OFFICER – CLASS II

WHEREAS, the Township Committee has received a letter from Cody Smith resigning as a Special Law Enforcement Officer – Class II effective June 18, 2012,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Cody Smith as a Special Law Enforcement Officer – Class II is hereby accepted effective June 18, 2012; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, Assistant C.F.O., Mandy To and Chief of Police.

The resolutions of the Consent Agenda were adopted on the following vote: Brantley, aye, except abstain on the resolutions hiring seasonal personnel to recreation programs; Houghtaling, aye; Jahn, aye; McMillan, aye; and Bishop, aye.

SUPPORT NJDOT EFFORTS TO INSTALL A TRAFFIC SIGNAL AT HECK AVENUE AND ROUTE 35

Mr. Houghtaling offered the following resolution, moved and seconded by Ms. Jahn, that it be adopted:

WHEREAS, the Township of Neptune believes it is in the public's interest and safety to support the efforts of the New Jersey Department of Transportation to install a traffic signal at the intersection of Route 35 and Heck Avenue; and,

WHEREAS, due to the proximity of Neptune High School, Neptune Middle School, Neptune Municipal Complex, Board of Education offices and Brookdale College satellite branch, there is a high volume of pedestrian and vehicle traffic at this intersection during school hours and after school events; and,

WHEREAS, there is a delineated crosswalk at this intersection with a school crossing guard present during certain hours; and,

WHEREAS, the Neptune Township Police Department and New Jersey Department of Transportation have identified motor vehicle accidents at this intersection; and,

WHEREAS, the Township agrees with the findings of the New Jersey Department of Transportation to start required analysis to install a traffic signal at this location,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby conveys its full support to the efforts of the New Jersey Department of Transportation to install signalization at the intersection of Route 35 and Heck Avenue; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., Township Engineer and the Business Administrator.

The resolution was adopted on the following vote: Brantley, aye; Houghtaling, aye; Jahn, aye; McMillan, aye; and Bishop, aye.

REQUEST REVIEW AND APPROVAL OF A MUNICIPAL AFFORDABLE HOUSING TRUST FUND SPENDING PLAN FROM THE DEPARTMENT OF COMMUNITY AFFAIR'S LOCAL PLANNING SERVICES

Ms. Jahn offered the following resolution, moved and seconded by Mr. Houghtaling, that it be adopted:

WHEREAS, the Township Committee of the Township of Neptune petitioned the Council on Affordable Housing (COAH) for substantive certification in November, 2009; and

WHEREAS, Neptune Township received approval from COAH on October 27, 2008 of its development fee ordinance; and

WHEREAS, pursuant to the Executive Reorganization Act of 1969, P.L. 1969, c. 203 (C. 52:14C-1 et seq.), the Governor abolished COAH and transferred all functions, powers, and duties to the Commissioner of the Department of Community Affairs, effective August 29, 2011; and

WHEREAS, as a result of the Reorganization Plan, No. 001-2011, the review formerly to be conducted by COAH is now conducted by the Department of Community Affairs' ("DCA" or "the Department"), Local Planning Services unit; and

WHEREAS, the development fee ordinance establishes an affordable housing trust fund that includes development fees, payments from developers in lieu of constructing affordable units on-site, barrier free escrow funds, rental income, repayments from affordable housing program loans, recapture funds, proceeds from the sale of affordable units; and,

WHEREAS, N.J.A.C. 5:97-8.1(d) requires a municipality with an affordable housing trust fund to receive approval of a spending plan from the Department prior to spending any of the funds in its housing trust fund; and

WHEREAS, N.J.A.C. 5:97-8.10 requires a spending plan to include the following:

1. A projection of revenues anticipated from imposing fees on development, based on pending, approved and anticipated developments and historic development activity;
2. A projection of revenues anticipated from other sources, including payments in lieu of constructing affordable units on sites zoned for affordable housing, funds from the sale of units with extinguished controls, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, and interest earned;
3. A description of the administrative mechanism that the municipality will use to collect and distribute revenues;
4. A description of the anticipated use of all affordable housing trust funds pursuant to N.J.A.C. 5:97-8.7, 8.8, and 8.9;
5. A schedule for the expenditure of all affordable housing trust funds, provided that the trust fund balance as of July 17, 2008 is committed for expenditure within four years of that date and that all development fees and any payments in lieu of construction are committed for expenditure within four years from the date of collection;
6. If applicable, a schedule for the creation or rehabilitation of housing units;
7. A pro-forma statement of the anticipated costs and revenues associated with the development if the municipality envisions supporting or sponsoring public sector or non-profit construction of housing; and
8. The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan; and
9. A description of the anticipated use of excess affordable housing trust funds, in the event more funds than anticipated are collected, or projected funds exceed the amount necessary for satisfying the municipal affordable housing obligation.

WHEREAS, the Township of Neptune has prepared a spending plan consistent with N.J.A.C. 5:97-8.10 and P.L. 2008, c.46.,

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Neptune, County of Monmouth, hereby requests that DCA's Local Planning Services review and approve the Township of Neptune's spending plan.

The resolution was adopted on the following vote: Brantley, aye; Houghtaling, aye; Jahn, aye; McMillan, aye; and Bishop, aye.

EMPLOY SPECIAL LAW ENFORCEMENT OFFICERS IN THE POLICE DEPARTMENT ON A PART-TIME BASIS

Mr. McMillan offered the following resolution, moved and seconded by Mr. Houghtaling, that it be adopted:

WHEREAS, there is a need for additional Special Law Enforcement Officers – Class II in the Police Department on a part-time hourly basis; and,

WHEREAS, the positions were duly posted and applicants have been interviewed; and,

WHEREAS, the Chief of Police has made his recommendations; and,

WHEREAS, funds will be provided in the appropriation entitled \_\_\_\_\_, known as Account No. \_\_\_\_\_, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Anthony Carafa and Shane Leaming be and are hereby employed as part-time Special Law Enforcement Officers - Class II, and to perform such other duties as prescribed by the Chief of Police, contingent upon successful completion of a background investigation and medical evaluation, effective immediately, at an hourly rate as established by prior resolution of the Township Committee:

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief of Police, Business Administrator, Chief Financial Officer, Assistant C.F.O., and Mandy To.

The resolution was adopted on the following vote: Brantley, aye; Houghtaling, aye; Jahn, aye; McMillan, aye; and Bishop, aye.

AUTHORIZE THE PAYMENT OF BILLS

Ms. Jahn offered the following resolution, moved and seconded by Mr. Houghtaling, that it be adopted:

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following bills be paid if properly certified:

|                            |                |
|----------------------------|----------------|
| CURRENT FUND               | 542,874.17     |
| FEDERAL & STATE GRANT FUND | 1,960.80       |
| TRUST OTHER                | 23,814.80      |
| GENERAL CAPITAL FUND       | 191,018.11     |
| SEWER OPERATING FUND       | 26,178.19      |
| SEWER CAPITAL FUND         | 223,605.17     |
| MARINA OPERATING FUND      | 23,475.02      |
| MARINA CAPITAL FUND        | 4,826.80       |
| DOG TRUST                  | 407.70         |
| LIBRARY TRUST              | 1,150.95       |
| BILL LIST TOTAL            | \$1,039,311.71 |

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Assistant C.F.O.

The resolution was adopted on the following vote: Brantley, aye; Houghtaling, aye; Jahn, aye; McMillan, aye; and Bishop, aye.

## PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Michael Simpson, Devon Court Tinton Falls, stated he was representing a resident on Wayside Road. He stated he had questions and comments regarding Ordinance #12-21. He stated it was his understanding that this ordinance would be going back to the Planning Board before it is adopted by the Township Committee. He questioned which meeting would that be.

Mayor Bishop stated it should be on the Planning Boards June 25<sup>th</sup> meeting and the Township should get it back in July.

Mr. Simpson questioned whether the motivation for this ordinance was to provide for the health and safety of the public.

Mayor Bishop stated when our professionals looked at it based on what the original redevelopment plan was it was the opinion of the professionals that we in fact should reexamine this in terms of really the fact that the redevelopment plan is now gone so we went to them they looked at it and we took their recommendation and that's how we moved forward.

Mr. Simpson questioned whether the Committee had any feelings on this ordinance and any existing applications that may be pending.

Mayor Bishop stated if there is any pending applications it is certain that they would not comment on the application because it would prejudice the applicant.

Mr. Simpson stated he had concerns regarding density issues.

Mayor Bishop suggested he take those concerns to the Planning Board when they discuss it and then he would certainly invite him to come back.

Michael Golub questioned when did the professionals advise them that this matter should be revisited.

Mayor Bishop stated they had been discussing this off and on for quite awhile now.

Mr. Golub questioned whether this discussion was before the application was submitted or when the hearing started.

Mr. Anthony stated this was discussed almost a year ago when the redevelopment plan died. In fact he thought this was going to be presented last year. He went on to state that when they discussed this there was no application and the prior develop fell through.

Jack Bredin, 94 ½ Heck Avenue, discussed the recycling schedule and stated it was a problem if a holiday falls on a weekday. He felt it was a scheduling oversight that could be corrected. He offered his suggestions.

Mayor Bishop stated he understood his concerns and they would talk with Mr. Rode who is the director of Public Works.

Hank Coakley stated he hoped that Dr. Brantley would govern with his head and not with his heart. He stated they should want the best.

Dr. Brantley stated when hiring is subjective sometimes people get overlooked. He stated he was not suggesting they diversify and overlook qualifications but as the candidates for that position no very well that in a lot of municipalities people get overlooked not because they are not qualified but because that are doing the hiring or promoting may have a subjective feeling about it and people who could get that position are overlooked whether it is for convenience or politics. He stated in the future people would be losing a lot of employees because of the retirements and the pension and people are concerned that when leadership positions are opened up that diversity is kept in mind and that fairness should be looked at.

Mr. Coakley questioned when openings became available were they posted or advertised or distributed to churches and if there is a promotion from patrolman to sergeant does every officer have to sign off that he's aware of opening.

Dr. Brantley stated distributing postings to the churches was a suggestion from one of the applicants and by doing this hopefully the residents can see the transparency and see that things

are not the way they use to be.

Mr. McMillan stated he did not want anyone to get into a debate about this and offered to meet with Mr. Coakley after the meeting.

Mr. Houghtaling stated the last posting for a public works job there were 27 applicants and they were all interviewed.

Dorothy Argyros stated earlier she commended the Committee for addressing the concerns as mentioned in Resolution #12-224 and in considering that she stated she would like to remind them that there was still time to stop Wa Wa Inc. from digging up toxic waste at the former Exxon site at the corner of Route 33 and 35.

Denis McCarthy stated a neighbor approached him regarding a code problem and he contacted Mr. Huhn regarding it and the matter was taken care by the end of the business day. He thanked Mr. Huhn for taking care of the matter in a timely fashion. He went on to congratulate Mary Beth Jahn on her overwhelming victory on Tuesday in the Primary Election.

Jack Pensabene, 1306 Ninth Avenue, thanked Ms. Jahn for her help with the park because the litter there was incredible and she was trying to get locking garbage cans to be prevent them from dumping on one another. He stated he could only imagine the expense the Township is experiencing with the constant police visits to the Cove. He asked if the Township could go in there and do an investigation to find out what they are doing. They are not only draining the police department but the area as well.

Mayor Bishop stated he continues to be a concern for all of them and all of the departments and they continue to do that. He went on to state that this was not an unknown issue to them.

Heinz Weck commended Ms. Jahn and stated she did a fine job at the Ocean Grove Homeowner's Meeting. He also informed Dr. Brantley that he did not understand the relationship between diversity, pot holes and administrators. He stated when he spoke earlier he mentioned them all together.

Dr. Brantley stated sometimes residents address their problems to the Committee members individually. He stated it was his responsibility to the people who have voted for him in the past to address concerns that were brought to his attention whether it pertain to potholes or anything else he will present it to the Committee as well.

Mr. Weck stated that Central Avenue has the worst potholes there is and still has not been addressed yet.

Mayor Bishop stated they were working on it.

He commended the Committee for creating businesses whereas other towns are getting rid of businesses.

The Committee entered executive session for discussion on closed session matters.

The Committee reviewed a lease agreement on Township owned land along Route 18 near West Bangs Avenue with the County of Monmouth for the installation of an emergency radio communications tower. The Committee asked that the appropriate ordinance be placed on the next regular meeting agenda.

Mr. Anthony will pursue the paving of the streets in the Fairway at Heritage Estates subdivision with the Developer's bonding company.

The Mayor asked that Township staff check the status of the Walnut Grove development and ensure that proper soil erosion control measures are being taken.

The Committee returned to the Meeting Room where Mr. McMillan offered a motion, seconded by Dr. Brantley, to return to open session. All were in favor.

Mr. McMillan offered a motion, seconded by Dr. Brantley, to adjourn. All were in favor.

Richard J. Cuttrell,  
Municipal Clerk

